

Senate Bill 303

Sponsored by Senator STEINER (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon Health Authority to require psilocybin service centers and psilocybin service facilitators licensed by authority to collect and report specified data. Requires authority to collect and compile specified data and provide data to Oregon Health and Science University.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to psilocybin services; creating new provisions; amending ORS 475A.450; and prescribing
3 an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Sections 2 to 4 of this 2023 Act are added to and made a part of ORS 475A.210**
6 **to 475A.722.**

7 **SECTION 2. (1) The Oregon Health Authority shall adopt rules to require a psilocybin**
8 **service center operator that holds a license issued under ORS 475A.305 to collect and report**
9 **data regarding psilocybin services provided at the psilocybin service center.**

10 **(2) The authority shall adopt rules to require a psilocybin service center operator that**
11 **holds a license issued under ORS 475A.305 to collect data on at least:**

12 **(a)(A) In accordance with the standards adopted under ORS 413.161, the race, ethnicity,**
13 **preferred spoken and written languages, disability status, sexual orientation and gender**
14 **identity of a client served at the psilocybin service center; and**

15 **(B) The income, age, sex, education level, county of residence, veteran status, health**
16 **status and English proficiency of a client served at the psilocybin service center;**

17 **(b) The number of clients served;**

18 **(c) The number of clients served who have previously received psilocybin services;**

19 **(d) The reasons for which a client requests psilocybin services, including the types of**
20 **behavioral health conditions the client experiences and the nature of any other reasons for**
21 **which a client requests psilocybin services;**

22 **(e) The number of individuals to whom the psilocybin service center denied psilocybin**
23 **services and the reasons for which psilocybin services were denied;**

24 **(f) The number and circumstances of any adverse events or client experiences, including**
25 **information about the type of event or experience, such as frequency and severity;**

26 **(g) The total cost of psilocybin services to a client, including the average cost for specific**
27 **conditions and treatments and for individual and group sessions;**

28 **(h) The psilocybin service center protocols, including minimum and maximum dosages**
29 **and the minimum and maximum duration of a preparation session, administration session**
30 **and integration session;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (i) The average:
- 2 (A) Dose of psilocybin per client;
- 3 (B) Dose of psilocybin per condition;
- 4 (C) Number of preparation sessions, administration sessions and integration sessions per
- 5 client condition; and
- 6 (D) Number of preparation sessions, administration sessions and integration sessions per
- 7 group of clients, if the psilocybin service center offers group sessions; and
- 8 (j) Any follow-up information from a client on the short-term and long-term results of
- 9 receiving psilocybin services, including positive outcomes experienced by the client.
- 10 (3) The authority shall adopt rules to require a psilocybin service center operator that
- 11 holds a license issued under ORS 475A.305 to report the data described in subsection (2) of
- 12 this section to the authority in a manner that protects the personally identifiable informa-
- 13 tion of clients and individuals from whom data is collected.
- 14 (4) The rules adopted under this section:
- 15 (a) Must establish deadlines for the collection and reporting of data.
- 16 (b) May include rules to require collection and reporting of data in addition to the data
- 17 required under subsections (2) and (3) of this section, as recommended by the Oregon
- 18 Psilocybin Advisory Board or the Oregon Health and Science University.
- 19 (c) May include any other rules as necessary to carry out this section.
- 20 **SECTION 3.** (1) The Oregon Health Authority shall adopt rules to require a psilocybin
- 21 service facilitator who holds a license issued under ORS 475A.325 to collect and report data
- 22 regarding psilocybin services provided by the psilocybin service facilitator.
- 23 (2) The authority shall adopt rules to require a psilocybin service facilitator who holds a
- 24 license issued under ORS 475A.325 to collect data on at least:
- 25 (a)(A) In accordance with the standards adopted under ORS 413.161, the race, ethnicity,
- 26 preferred spoken and written languages, disability status, sexual orientation and gender
- 27 identity of a client served by the psilocybin service facilitator; and
- 28 (B) The income, age, sex, education level, county of residence, veteran status, health
- 29 status and English proficiency of a client served by the psilocybin service facilitator;
- 30 (b) The number of clients served;
- 31 (c) The number of clients served who have previously received psilocybin services;
- 32 (d) The reasons for which a client requests psilocybin services, including the types of
- 33 behavioral health conditions the client experiences and the nature of any other reasons for
- 34 which a client requests psilocybin services;
- 35 (e) The number of individuals to whom the psilocybin service facilitator denied psilocybin
- 36 services and the reasons for which psilocybin services were denied;
- 37 (f) The number and circumstances of any adverse events or client experiences, including
- 38 information about the type of event or experience, such as frequency and severity;
- 39 (g) The total cost of psilocybin services to a client, including the average cost for specific
- 40 conditions and treatments and for individual and group sessions;
- 41 (h) The psilocybin service facilitator's protocols, including minimum and maximum
- 42 dosages and the minimum and maximum duration of a preparation session, administration
- 43 session and integration session;
- 44 (i) The average:
- 45 (A) Dose of psilocybin per client;

1 (B) Dose of psilocybin per condition;

2 (C) Number of preparation sessions, administration sessions and integration sessions per
3 client condition; and

4 (D) Number of preparation sessions, administration sessions and integration sessions per
5 group of clients, if the psilocybin service facilitator offers group sessions; and

6 (j) Any follow-up information from a client on the short-term and long-term results of
7 receiving psilocybin services, including positive outcomes experienced by the client.

8 (3) The authority shall adopt rules to require a psilocybin service facilitator who holds a
9 license issued under ORS 475A.325 to report the data described in subsection (2) of this sec-
10 tion to the authority in a manner that protects the personally identifiable information of
11 clients and individuals from whom data is collected.

12 (4) The rules adopted under this section:

13 (a) Must establish deadlines for the collection and reporting of data.

14 (b) May include rules to require collection and reporting of data in addition to the data
15 required under subsections (2) and (3) of this section, as recommended by the Oregon
16 Psilocybin Advisory Board or the Oregon Health and Science University.

17 (c) May include any other rules as necessary to carry out this section.

18 **SECTION 4.** (1) The Oregon Health Authority shall collect and compile data on:

19 (a) The total number of licenses issued under ORS 475A.290, 475A.305, 475A.325 and
20 475A.594, compiled by each license type;

21 (b) The number of applications for licenses issued under ORS 475A.290, 475A.305, 475A.325
22 and 475A.594 and the reasons for denial of licensure;

23 (c)(A) In accordance with the standards adopted under ORS 413.161, the race, ethnicity,
24 preferred spoken and written languages, disability status, sexual orientation and gender
25 identity of each licensee; and

26 (B) The income, age, sex, education level, county of residence, veteran status, health
27 status and English proficiency of each licensee;

28 (d) The total number of and cost to attend each education and training program de-
29 scribed in ORS 475A.325;

30 (e) The total number of individuals who sit for examinations described in ORS 475A.325
31 and the percentage of individuals who pass each examination; and

32 (f) The number of disciplinary actions taken by the authority against licensees, compiled
33 by license type and action.

34 (2)(a) Subject to paragraphs (b) and (c) of this subsection, the data collected and compiled
35 under subsection (1) of this section is exempt from disclosure under ORS 192.311 to 192.478.

36 (b) The authority shall, in a manner that protects any personally identifiable information
37 collected or compiled under subsection (1) of this section, provide the data collected and
38 compiled under subsection (1) of this section to the Oregon Health and Science University
39 for the purposes of conducting research on the outcomes of psilocybin services provided un-
40 der ORS 475A.210 to 475A.722.

41 (c) The authority shall, after removing any personally identifiable information and other
42 information protected from disclosure, make publicly available the data collected and com-
43 piled under subsection (1) of this section.

44 (3) The authority may adopt rules to carry out this section.

45 **SECTION 5.** ORS 475A.450 is amended to read:

1 475A.450. Confidentiality of information and communications by clients; exceptions. A psilocybin
 2 service center operator, a psilocybin service facilitator[,] or any employee of a psilocybin service
 3 center operator or psilocybin service facilitator may not disclose any information that may be used
 4 to identify a client, or any communication made by a client during the course of providing psilocybin
 5 services or selling psilocybin products to the client, except **when**:

6 (1) [*When*] The client or a person authorized to act on behalf of the client gives consent to the
 7 disclosure;

8 (2) [*When*] The client initiates legal action or makes a complaint against the psilocybin service
 9 center operator, the psilocybin service facilitator[,] or the employee;

10 (3) [*When*] The communication reveals the intent to commit a crime harmful to the client or
 11 others;

12 (4) [*When*] The communication reveals that a minor may have been a victim of a crime or
 13 physical, sexual or emotional abuse or neglect; [*or*]

14 (5) [*When*] Responding to an inquiry by the Oregon Health Authority made during the course
 15 of an investigation into the conduct of the psilocybin service center operator, the psilocybin service
 16 facilitator[,] or the employee under ORS 475A.210 to 475A.722[.]; **or**

17 **(6) Reporting to the authority the data described in sections 2 and 3 of this 2023 Act.**

18 **SECTION 6. (1) Sections 2 to 4 of this 2023 Act and the amendments to ORS 475A.450 by**
 19 **section 5 of this 2023 Act become operative on January 1, 2024.**

20 **(2) The Oregon Health Authority may take any action before the operative date specified**
 21 **in subsection (1) of this section that is necessary to enable the authority to exercise, on and**
 22 **after the operative date specified in subsection (1) of this section, all of the duties, functions**
 23 **and powers conferred on the authority by sections 2 to 4 of this 2023 Act and the amend-**
 24 **ments to ORS 475A.450 by section 5 of this 2023 Act.**

25 **SECTION 7. This 2023 Act takes effect on the 91st day after the date on which the 2023**
 26 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

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